

Application Number: 09/762,578
Response to Rejection of 4/27/2006

Remarks

I. Response to Rejections under 35 USC Section 103

At page 2, item 3 of the Office Action, claims 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, and 28 are rejected under 35 USC Section 103(a) as being unpatentable over "Klug" (US Patent number 6,591,245) in view of "Salisbury" (US Patent number 6,397,231), and "van Zee" (US patent number 6,972,861).

The Applicants note that each of the rejected claims relies on the Examiner's use of the van Zee reference, and that the van Zee reference was owned by Hewlett-Packard Co. at the time the claimed invention was made. Further, the Applicants note that the issued patent to van Zee was not published until December 6, 2005, while the present application was filed on February 7, 2001. Thus, the Applicant believes that the reference was available as prior art *only* under 35 USC§102(e).

Therefore, the Applicant respectfully traverses the rejection because both the present application and the van Zee reference were at the time the invention of the present application was made, owned by, or subject to, an obligation of assignment to the same organization MPEP§706.02(I)(2).

Enclosed herewith is a Statement of Common Ownership that attests to the common ownership of the van Zee reference and the present application at the time the claimed invention was made.

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II. Additional Fees

It is not believed that additional fees are due at this time; however, if any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully submitted,
Aloke Gupta et al.

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I hereby certify that this paper is being
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Typed Name: Jessica Fusek
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number :	09/762,578
Confirmation No:	5247
First Named Inventor:	Aloke Gupta
Filed :	02/07/2001
TC/A.U.	2625
Examiner :	Mark E. Wallerson
Docket Number :	10002473-4
Customer Number :	022879

Statement of Common Ownership

Sir:

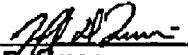
The above-referenced patent application and the prior art presented in the Office Action mailed 4/27/06 (United States patent 6,972,861 to van Zee et al.), were at the time at the invention of the above-referenced patent application was made, owned by, or subject to, an obligation of assignment to the same organization (MPEP§706.02(l)(2)). At the time the inventions were made, both were owned by Hewlett-Packard Company.

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Application Number: 09/782,578
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The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone conversations at any time during normal business hours (Pacific Time zone).

Respectfully Submitted,
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